IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 2718 OF 2004

M/s.Manav Builders Pvt.Ltd. Petitioners
vs.
Municipal Corporation of Greater
Mumbai & anr. Respondents

Mr.J.Reis with Mr.Y.M.Chaudhari for the petitioners.

Ms.Priti Purandare for the respondents.

CORAM : F.I.REBELLO &
ANOOP V. MOHTA,JJ.

DATED : 5th September, 2006

P.C.

Rule. Heard forthwith.

2. For the order to be passed and in view of the affidavit of Jayprakash Kamalakar Madon, Assistant Engineer, Water Works D Ward, detailed reasons need not be given. It is the case of the petitioners that they are not using the water at all. However, considering the averments made in sub-paras (b) and (c) of para 3 of the affidavit of Jaiprakash K. Madan, we are disposing of the writ petition by the following directions:

(i) The petitioners to make an application to the Hydraulic Engineer with whatever contentions they have in respect of the demand

made upon them.

(ii) The Hydraulic Engineer, considering the law in force, to pass an appropriate order according to law and at any rate not later than eight weeks from the petitioners making an application.

(iii) In the meantime, the respondents are directed not to take steps to enforce the demands made on the petitioners.

3. Rule is made absolute accordingly. No order as to costs.

(F.I. REBELLO, J.)

(ANOOP V. MOHTA,J.)